THE HON'BLE SMT. JUSTICE T.MEENA KUMARI
AND
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

W.P.NO.13958 OF 2006

O R D E R (Per the Hon'ble Smt. Justice T.Meena Kumari)

Heard both the counsel.

2. This writ petition is filed for a writ of Mandamus declaring the action of the respondents in not providing a job in the respondents – company located at Reniguta, Chittoor District to the son of the petitioner under the 'land losers quota' as per their F 263/Mech/CRS? TPIS/7 dated 28.8.1989 as illegal and arbitrary and consequently direct the respondents to consider the case of the petitioner's son for providing a job under 'land losers quota'.

3. From the averments made in the writ affidavit and from the submissions of the counsel for the petitioner it could be seen that the petitioner was the owner of plot nos.13 and 14 in Sy.No.20/2, Settipalli Village admeasuring 138 Ankanams, having purchased the same from Irla Chenchuramaiah Chettiyar under registered sale deed on 12.7.1979. For public purpose, the respondents acquired Acs.61-48 cents and in a reference to the civil court under Section 30, the court of Senior Civil Judge took up the reference in O.P.No.70/1988 and the petitioner got impleaded by filing I.A.No.156/1999 dated 7.12.1999 and the O.P. was allowed on 22.1.2001. Under the scheme promulgated for providing job to the land losers, the husband of the petitioner made an application for providing job to their son in the year 1989 and by proceedings in P.263/Mech/CRS/Tirupathi/& dated 28.8.1989 he was informed that a notification will be issued calling for the applications. Thereafter, as no notification was issued and as there was also no response to the representation of the petitioner, the petitioner filed

O.A.No.733/2004 before the Central Administrative Tribunal, Hyderabad and by order dated 4.3.2004 the O.A. was disposed of with a direction to the respondents that if the petitioner applies in response to any notification in future, the respondents shall consider her application for the purpose of providing job under the 'land losers quota'. As no fresh notification was issued, the petitioner filed M.A.No.324/2005 before the Tribunal seeking for fixation of time for consideration of the application of the petitioner. The said M.A. was rejected on the ground that as the respondents did not issue any notification subsequent to the orders of the Tribunal, the prayer sought for, cannot be granted. Aggrieved by the action of the respondents in not providing a job to the son of the petitioner under the 'land losers quota', the present writ petition is filed.

4. The learned Standing Counsel appearing for the respondents submitted that the scheme for providing job under the 'land losers quota' has already been exhausted and no posts are available under the said scheme.

5. From the material on record, it could be seen that the land of the petitioner was acquired for public purpose and the O.P.No.70/1988 to which the petitioner was a party respondent was allowed and the Tribunal in O.A.No.733/2004 also directed the respondents to consider the case of the petitioner for providing a job under 'land losers quota' in the notification to be issued in future. It appears that subsequent to the orders of the Tribunal, the respondents have not issued any fresh notification to accommodate the persons under the 'land losers quota'. In these circumstances, suffice it to direct the petitioner to make a representation for the appointment of her son B.Arvindudu, to the 2nd respondent – Chief Mechanical Engineer, Carriage Repairs Workshop, Sathepalli, Tirupathi, Chittoor District and thereupon the 2nd respondent shall consider the representation of the petitioner's son

as per his qualifications and eligibility, within a period of four weeks from the date of receipt of such representation.

6. With the above direction the writ petition is disposed of. No costs.

T.MEENA KUMARI,J

G.CHANDRAIAH,J

AVS
DATE:30.07.2007